



URGENT ACTION - AU CHIS/270308

San Cristóbal de Las Casas, Chiapas, México
March 27, 2008

Arbitrary detention / Violation of the right to due legal process / Hunger strike

The International Service for Peace (SIPAZ) requests your URGENT action on the following situation experienced in Chiapas, Mexico.

Current situation

SIPAZ expresses its extreme concern for the risks to the life and personal integrity of the detainees of three Chiapas prisons who have undertaken a hunger strike in order to demand their freedom. The detainees denounce the fact that they have been arbitrarily detained for their political and/or social justice activities. They state that they are facing false accusations, and that their right to due legal process is being violated. Some detainees have been on strike for more than one month.

According to numerous sources, such as the *Fray Bartolome de Las Casas Human Rights Center*, report that at least 45 detainees are maintaining the hunger strike:

- 27 detainees in the Center for Social Re-adaptation #14 (known as "El Amate") in Cintalapa. The majority of these detainees began their hunger strike on either February 25 or 26. Others joined them on March 10, 25 and 26.
- 10 detainees in the Center for Social Re-adaptation #5 in San Cristóbal de las Casas, on strike since March 4.
- 8 detainees in the Center for Social Re-adaptation #17 in Playas de Catuzajá, who joined the strike on March 8.

In addition, some 11 detainees maintain daily fasts in support of the hunger strikers: six in the Center for Social Re-adaptation #5, three in the Center for Social Re-adaptation #14 and two in Tacotalpa Prison (in the State of Tabasco).

Beginning on March 24, relatives of 36 of the hunger strikers mentioned above established a picket opposite the Chiapas State Government's offices in Tuxtla Gutiérrez to demand the freedom of their family members.

Background and context

The human rights mechanisms established by the United Nations and Inter-American Commission on Human Rights have repeatedly documented cases of arbitrary detention, situations of

being held in incommunicado detention, mistreatment and the systematic use of torture as a form of punishment and coercion in Mexico.

Many of the cases of the detainees mentioned above are linked to the situation of conflict which has prevailed in the State of Chiapas since the 1994 Zapatista uprising, a situation which continues to affect groups and individuals who act in opposition to the government. Undoubtedly, the political nature of these violations reflects a tendency – also highlighted on a national level – to criminalize political protest and dissident voices.

A great number of these arbitrary and illegal detentions are effected by municipal authorities as a form of pressure or punishment against a particular individual and/or group. This is often conducted with the knowledge of State Government officials, who often intervene in the case to suggest to the victim that they should negotiate or reconcile with their attackers. By this means the state authorities themselves create a vicious cycle of impunity for these detentions.

Requested actions

Please write to the Mexican authorities asking them to:

- Take the appropriate steps needed to guarantee the security and physical and psychological integrity of the detainees mentioned above, as well as their relatives. This should include free and appropriately directed medical attention for the detainees involved.
- Adopt, without delay, the means necessary to attend the requests of the detainees, and that they be guaranteed their right to a due legal process at all times. In the case of absence of valid legal charges being brought against them, that the detainees be released immediately.
- Provide reparations, in the appropriate cases, for the moral and economic damages caused to the prisoners for the period of time that they have been incarcerated.
- Ensure that penitentiary authorities guarantee the integrity of the prisoners mentioned, and that staff of the Centers for Social Re-adaptation abstain from all possible acts of harassment against them.
- Ensure, throughout Mexican territory, respect for human rights and fundamental freedoms in accordance with international human rights agreements ratified by the Mexican State, such as the American Declaration of the Rights and Duties of Man and American Convention on Human Rights, the UN Basic Principles for the Treatment of Prisoners and the International Covenant on Civil and Political Rights.

Addresses

- Permanent Mission of Mexico to the United Nations in Geneva
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Tel : +41 22 748 07 07; Fax : +41 22 748 07 08
E-mail: mission.mexico@ties.itu.int
- Ambassador Sandra Fuentes-Berain
Mission of Mexico to the European Union in Brussels
94 Avenue F.D. Rossevelt, 1050 Ixelles, Belgiu
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- Señor Presidente Felipe Calderón Hinojosa
President of the Republic of Mexico
Residencia Oficial de "Los Pinos"
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- Sr. Eduardo Medina-Mora Icaza
Federal Attorney General of the Republic of Mexico
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Col. Guerrero CP. 06300, México D.F, Mexico
Tel: +52 5 55 346 20 03; Fax: +52 5 55 346 0906
E-mail : ofproc@pgr.gob.mx

Please also take the time to write to the following representatives of the State of Chiapas:

- Lic. Juan José Sabines Guerrero
Constitutional Governor of the State of Chiapas
Palacio de Gobierno del Estado de Chiapas. Av. Central y Primera Oriente
Col. Centro, C.P. 29009 Tuxtla Gutiérrez, Chiapas, Mexico
Fax: +52 961 618 8088, +52 961 618 8056
E-mail: secparticular@chiapas.gob.mx
- Lic. Sonia Siman Morales
President of the Superior Magistracy of the State of Chiapas and Advisor to the President of the Council of Magistracy of the State of Chiapas
Palacio de Justicia, Libramiento Norte Oriente #2100
Col. El Bosque, C.P. 29047 Tuxtla Gutiérrez, Chiapas, Mexico
Operator: +52 961 617 8700; alternatively: +52 961 616 5350, +52 961 616 5354
- Lic. Amador Rodríguez Lozano
Justice Minister for the State of Chiapas
Libramiento Norte Oriente y Rosa de Oriente #2010
Col. El Bosque, C.P. 29049 Tuxtla Gutiérrez, Chiapas, Mexico
Fax: + 52 961 617 2300
E-mail: arodriguez@mje.chiapas.gob.mx

In addition, please write to Mexico's diplomatic representatives in your home country.



As of March 26, 2008: 45 people on hunger strike and 11 people fasting

List (non-exhaustive) of detainees on hunger strike in the prisons of Chiapas

**I. Center for Social Re-adaptation #14 (known as "El Amate"), Cintalapa
A total of 27 detainees on hunger strike:**

Since February 25, 2008:

1. Mateo Hernández Bautista

Since February 26, 2008:

2. Alberto Patishtan Gómez
3. José Luis López Sánchez
4. Julio César Pérez Ruiz
5. José Pérez Pérez
6. Marcelino Díaz González
7. Ramón Guardaz Cruz
8. Jorge López López
9. Antonio Díaz Ruiz
10. Antonio Gómez Díaz
11. Miguel Gómez Gómez
12. Domingo Cruz Gómez

Since March 10, 2008:

13. Rubén Jiménez Pablo
14. Enrique López Hernández
15. Pável Vázquez Cruz

Since March 25, 2008:

16. Enrique Hernández Hernández
17. Pascual Heredia Hernández

Since March 26, 2008:

18. Roberto Carlo Espinoza López
19. Manuel Antonio Cruz Pérez
20. Manuel Torres Pérez
21. Jerónimo López Aguilar
22. José Nuñez Nuñez
23. Demetrio Gómez Ruiz
24. Marcelino Hernández Gutiérrez
25. Pedro Ruiz Ruiz
26. Cecilio Marcos Díaz Pérez
27. Domingo Rodríguez Ordoñez

II. Center for Social Re-adaptation #5, San Cristóbal de las Casas

A total of 10 detainees on hunger strike since March 4, 2008:

1. Tiburcio Gómez Pérez
2. Pedro Guadalupe Enríquez Santiz
3. Julio Cesar Méndez Luna
4. José Luis Gómez Morales
5. Diego Rodríguez Hernández
6. Guadalupe Gómez Cruz
7. Manuel Ruíz Hernández
8. Antonio Ruíz Pérez
9. Mario Jiménez López
10. Agustín Rodríguez Jiménez

III. Center for Social Re-adaptation #17, Playas de Catazajá

A total of 8 detainees on hunger strike since March 10, 2008:

1. Elias Sánchez Gómez
2. Timoteo Sánchez Gómez,
3. Fausto Sánchez Gómez,
4. José Sánchez Gómez,
5. Felipe Sánchez Gómez,
6. Esteban Sánchez Gómez,
7. Pablo Sánchez Gómez
8. Fidencio Sánchez Gutiérrez.

In addition, 11 people are **fasting each day in support of the hunger strikers**. (In the Catholic faith in Mexico, fasts are often conducted as a means of spiritual preparation for a religious event. Fasting is therefore particularly linked with the "Pueblo Creyente" (lit: Believing People), an organization which unites the politically active Catholic community, originally formed to seek the release of political prisoners in the 1990s.)

I. Center for Social Re-adaptation #14 (known as "El Amate"), Cintalapa

A total of 3 people fasting:

1. Jesús López López
2. Andrés Hernández Hernández
3. María Delia Pérez Arizmendi

II. Center for Social Re-adaptation #5, San Cristóbal de las Casas

A total of 6 people fasting:

1. Antonio Díaz Pérez
2. Juan Díaz López
3. Miguel Díaz López
4. Felipe Gómez Pérez
5. Nicolás Pérez Núñez
6. Amapola Gómez Pérez

III. In the Tacotalpa Prison (State of Tabasco)

A total of 2 people fasting (detained in the municipality of Tila, State of Chiapas):

1. Concepción Pérez Gutiérrez (aged 44)
2. Francisco Pérez Vázquez (aged 74)